

**Remarks/Arguments:**

Claims 1, 4, 9 and 11 have been amended. No new matter is introduced herein. Claims 1, 4 and 9-12 are pending.

Claim 1 has been amended to clarify that: 1) the remote controller operation guide presents information associated with specific keys of a remote controller for selecting between the recommended program and the currently viewed program by the remote controller and 2) the picture receiver displays one of the currently viewed program and the recommended program responsive to selection by the remote controller using the presented information of the remote controller operation guide. Claim 4 has been amended similarly to claim 1. No new matter is introduced herein. Basis for the amendment includes, for example, page 7, lines 7-25 and Fig. 3 of the subject specification. Claims 9 and 11 have been amended to correspond with respective claims 1 and 4.

Claims 1 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Srinivas et al. (US 2004/0003395) in view of Reynolds et al. (US 6,563,515) and further in view of Yoshida (US 5,936,611). It is respectfully submitted, however, that these claims are patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features which are neither disclosed nor suggested by the cited art, namely:

... the picture displaying unit simultaneously displays a remote controller operation guide ... presenting information associated with specific keys of a remote controller for selecting between the recommended program and the currently viewed program by the remote controller, and

the picture receiver displays one of the currently viewed program and the recommended program responsive to selection by the remote controller using the presented information of the remote controller operation guide.  
(Emphasis added)

Claim 4 includes a similar recitation.

Srinivas et al. disclose, in Fig. 1, device 100 for automatically displaying an indication of a recommended program to a viewer. Device 100 is connected to display 112 having main display 113 and picture-in-picture (PIP) display 114. (Paragraphs [0025] and [0027].) Device 100 includes a recommender (processor 106) for calculating a recommendation score for received program content. (Paragraph [0026].) If the recommendation score is higher than a predetermined threshold, an indication of the received program content is displayed to the viewer. The indication can include a bottom line display, a flashing LED, an audio display, a textual message on PIP 114 (Fig. 2a) or the actual program content on PIP 114. (Paragraphs [0028-0031].) Srinivas et al. also disclose, in Fig. 2b, control means 116 having a plurality of buttons 118, including buttons for selecting a recommended program (button 120 - "switch PIP to Main") or a current program (button 122 - "Ignore Message in PIP"). (Paragraphs [0027] and [0030-0031].)

As acknowledged by the Examiner on page 4 of the Office Action, Srinivas et al. do not teach modifying at least one of a position or a size of the currently viewed program, as required by claim 1.

As acknowledged by the Examiner on page 5 of the Office Action, Srinivas et al. do not teach simultaneously displaying a remote controller operation guide with a recommended program and a modified currently viewed program, as required by claim 1. Accordingly, Srinivas et al. cannot teach: 1) a remote controller operation guide which presents information associated with specific keys of a remote controller for selecting between the recommended program and the currently viewed program by the remote controller and 2) that the picture receiver displays one of the currently viewed program and the recommended program responsive to selection by the remote controller using the presented information of the remote controller operation guide, as required by claim 1. Srinivas et al. are silent regarding these features.

As discussed above, Srinivas et al. use a remote controller with specifically identified buttons for selecting a recommended program (button 120 - "Switch PIP to Main" or a current program (button 122 - "Ignore Message in PIP"). Accordingly, in Srinivas et al., a user selects a current program or a recommended program by looking at the identified buttons of the remote controller. Thus, there is no need in Srinivas et al. to include a remote controller operation guide which is simultaneously

displayed with recommended and currently viewed programs. Thus, for the reasons set forth above, Srinivas et al. do not include all of the features of claim 1.

Reynolds et al. disclose, in Figs. 5a and 5b, an interactive television program guide which presents program guide display 70 and current channel 77 on main display screen 72. (Col. 7, lines 41-55). As shown in Fig. 6a, if a viewer browsing program guide display 70 becomes interested in a particular program, the viewer can direct the program guide to invoke program guide video window 80 to display video for the indicated program. This allows the viewer to simultaneously view video from a new channel of interest (in window 80) with current channel 77. (Col. 8, lines 18-38). Reynolds et al. teach that the screen area of current channel 77 may be reduced so that program guide display 70, current channel 77 and program guide video window are displayed unobscured. (Col. 8, lines 39-48 and Col. 12, lines 30-40.)

As acknowledged by the Examiner on page 5 of the Office Action, Reynolds et al. do not disclose or suggest simultaneously displaying a remote controller operation guide with a recommended program and a modified currently viewed program, as required by claim 1. Accordingly, Reynolds cannot further teach that: 1) the remote controller operation guide presents information associated with specific keys of a remote controller for selecting between the recommended program and the currently viewed program by the remote controller and 2) the picture receiver displays one of the currently viewed program and the recommended program responsive to selection by the remote controller using the presented information of the remote controller operation guide, as required by claim 1. Reynolds et al. are silent regarding these features. Thus, Reynolds et al. do not include all of the features of claim 1 and do not make up for the deficiencies of Srinivas et al.

Yoshida discloses, in Figs. 1 and 2, an on-screen displaying apparatus for displaying remote control hand unit 10 and its keypad on a screen of CRT 9. (Abstract and Column 4, lines 46-51.) Pressing a key on remote control hand unit 10 causes a corresponding key to be indicated on the display, along with a functional description of the key. (Column 4, lines 52-64 and Fig. 7 and 8.)

Yoshida, however, does not teach: 1) a remote controller operation guide which presents information associated with specific keys of a remote controller for selecting

between a recommended program and a currently viewed program and that a picture receiver displays one of the currently viewed program and the recommended program responsive to selection by the remote controller using the presented information of the remote controller operation guide, as required by claim 1 (emphasis added). Instead, in Yoshida, an image of remote control hand unit 10 is used to highlight a user selected key and provide a functional description of the key. In contrast, Applicant's claimed remote controller guide presents information associated with specific keys of a remote controller for selecting between the recommended and currently viewed programs by the remote controller. The picture receiver displays one of the currently viewed program or the recommended program responsive to selection by the remote controller using the presented information. Yoshida is silent regarding this feature. Thus, Yoshida does not make up for the deficiencies of Srinivas et al. and Reynolds et al. with respect to claim 1.

Applicant also notes that Srinivas et al. use a remote controller with specifically identified keys for selecting a recommended program (key 120 - "switch PIP to main") or a current program (key 122 - "ignore message in PIP"). According to Srinivas et al., a user selects a current program or a recommended program by looking at the identified keys of the remote control. Accordingly, there is no reason to modify Srinivas et al. to simultaneously display a remote controller operation guide with recommended and currently viewed programs. In fact, the only teaching of provided a remote controller operation guide comes from Applicant's own disclosure. Accordingly, the Examiner is using "hindsight" in order to reject Applicant's claims. A rejection based on hindsight, however, is impermissible.

Accordingly, for the reasons set forth above, allowance of claim 1 is respectfully requested.

Claim 4, although not identical to claim 1, includes features similar to claim 1 which are neither disclosed nor suggested by the cited art. Accordingly, allowance of claim 4 is respectfully requested for at least the same reasons as claim 1.

Claims 9 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Srinivas et al., Reynolds et al. and Yoshida in view of Yuen et al. (US 2008/0184293). Claims 10 and 12 have been rejected under 35 U.S.C. § 103(a)

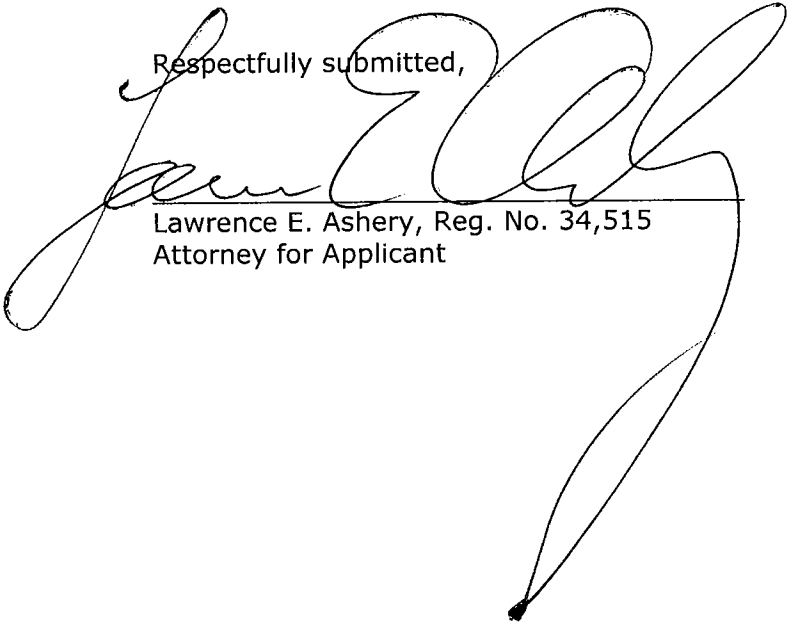
Application No.: 10/553,613  
Amendment Dated: December 10, 2010  
Reply to Office Action of: October 14, 2010

MAT-8702US

as being unpatentable over Srinivas et al., Reynolds et al., Yoshida and Yuen et al., further in view of Chang et al. (US 2002/0129362). Claims 9-12, however, include all of the features of respective claims 1 and 4 from which they depend. The remaining cited art do not make up for the deficiencies of Srinivas et al. and Yoshida with respect to claims 1 and 4. Accordingly, claims 9-12 which include all of the features of respective claims 1 and 4 from which they depend, are also patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

DMG/fp

Dated: December 10, 2010

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

FP\_1076705